

Appendix E
Right-of-Way Acquisition Process

APPENDIX E

RIGHT-OF-WAY ACQUISITION PROCESS

Once right-of-way plans are approved and funding is made available for a highway project, the Washington State Department of Transportation (WSDOT) can begin to acquire the necessary right of way from property owners. The year-long acquisition process includes presentation of an offer to purchase and relocate people or personal property displaced by the project.

The price offered for property being acquired by WSDOT is established by appraisal. The appraiser's task is to determine "just compensation" for affected properties based on "fair market values." When total acquisition is required, the property owner receives the current market value. Compensation for a partial acquisition is the difference between the fair market value of the original property and that of the remainder.

Upon completion of the appraisal process, a WSDOT representative will offer to purchase the property. The representative will answer any questions individuals may have about procedures, rights, and impacts associated with the project.

When a settlement is reached, the representative will collect the required signatures and complete the necessary paperwork. Only after these details have been completed will payment for the acquisition be processed.

If you are the occupant (tenant or owner) of a structure that is to be acquired by WSDOT, or if you own personal property located within the area to be acquired, you may be eligible for certain relocation services. Eligibility complies with federal and state regulations (Public Law 91-646, RCW 8.26.010 to 8.26.910). Typically, these benefits may include advisory services, replacement dwelling supplements, and reimbursement for moving expenses incurred as a result of the project.

Since each property, ownership, and occupancy is unique, there may be considerable variation in procedures and time requirements. Including the reviews that are necessary during the process, it will normally take up to nine months from the appraisal start date to the date when the owner receives payment for the acquisition. Ownerships involving relocation can take about three months in addition to the acquisition time frame.

In all cases, WSDOT will initiate contact with owners and tenants. Should questions arise about the schedule or process, please call WSDOT, Northwest Region, Real Estate Services Office (206) 440-4163.

After the project is completed, WSDOT may identify and dispose of surplus real property. Frequently these properties are created when right of way is vacated because a roadway is moved or when small uneconomic pieces are purchased during the acquisition process. Disposal of these pieces of land are offered to governmental agencies, abutting owners, or other interested individuals subject to established legal and standard policy procedures.